

**SCHOOL DISTRICT EMPLOYEES - CAREER****STATUS REQUIREMENTS**

2010 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE****General Description:**

This bill modifies the Utah Orderly School Termination Procedures Act regarding requirements for school district employees to obtain career status.

**Highlighted Provisions:**

This bill:

- ▶ allows a local school board to determine the number of years, within a range of three to five years, a provisional employee must work to obtain career status.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**53A-8-106**, as last amended by Laws of Utah 2003, Chapter 315

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-8-106** is amended to read:

**53A-8-106. Career employee status for provisional employees.**

(1) (a) A provisional employee must work for a school district on at least a half-time basis for three to five consecutive years to obtain career employee status.

(b) The school board of a school district shall determine the number of years, within the range specified in Subsection (1)(a), required to obtain career employee status.

(2) Policies of an employing school district shall determine the status of a career employee in the event of the following:

- (a) the employee accepts a position which is substantially different from the position in

- 32 which career status was achieved; or
- 33 (b) the employee accepts employment in another school district.
- 34 (3) If an employee who is under an order of probation or remediation in one
- 35 assignment in a school district is transferred or given a new assignment in the district, the order
- 36 shall stand until its provisions are satisfied.
- 37 (4) An employee who is given extra duty assignments in addition to a primary
- 38 assignment, such as a teacher who also serves as a coach or activity advisor, is a temporary
- 39 employee in those extra duty assignments and may not acquire career status beyond the primary
- 40 assignment.
- 41 (5) A person is an at-will employee and is not eligible for career employee status if the
- 42 person:
- 43 (a) is a teacher who holds a competency-based license pursuant to Section 53A-6-104.5
- 44 and does not hold a level 1, 2, or 3 license as defined in Section 53A-6-103; or
- 45 (b) holds an administrative/supervisory letter of authorization pursuant to Section
- 46 53A-6-110.

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**Legislative Review Note**  
**as of 9-29-09 6:50 AM**

**Office of Legislative Research and General Counsel**